



**Office of Ocean and Coastal
Resource Management**

1362 McMillan Avenue, Suite 400
Charleston, SC 29405

(803) 744-5838 FAX (803) 744-5847

FEBRUARY 12, 2004

**TO ALL INTERESTED PARTIES
PUBLIC NOTICE**

As has always been required by SC Code of Laws Section 48-39-140(B)(4), proof of ownership must be submitted as part of the application for a critical area permit. Pursuant to the attached opinion from the S. C. Attorney General's office issued on December 5, 2003, DHEC-OCRM will require the following additional information in order to process ALL PERMIT APPLICATIONS FOR STRUCTURES PROPOSED ON OR TO ANY ISLAND WITHIN THE CRITICAL AREAS OF THE STATE:

1. A copy of the document upon which you rely for the original grant of the marsh island from the State or predecessor sovereign (e.g. a King's grant or Lord Proprietors' grant)
2. An attorney's title opinion
3. The accompanying abstract of title.

Upon receipt of an application for any activity on or to an island, DHEC-OCRM will place the application on public notice but will also require the aforementioned information be submitted within 90 days. Upon receipt of the three items, DHEC-OCRM will forward the application to the South Carolina Attorney General's office. The Attorney General's office will determine if adequate proof of ownership has been provided and notify DHEC-OCRM of that determination. DHEC-OCRM will proceed with permit processing after receipt of notification from the Attorney General's office that adequate proof of ownership has been provided. If the applicant does not submit the information to DHEC-OCRM, then the administratively incomplete application will be cancelled and returned to the applicant.

Questions regarding the Attorney General's opinion should be directed to that office. All questions related to Critical Area Permitting may be directed to OCRM Staff.



**Office of Ocean and Coastal
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1362 McMillan Avenue, Suite 400
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(803) 744-5838 FAX (803) 744-5847

FEBRUARY 19, 2004

**TO ALL INTERESTED PARTIES
PUBLIC NOTICE**

S.C. Code of Laws Section 48-39-140(B)(4) requires that proof of ownership must be submitted as part of the application for a critical area permit. Pursuant to the attached opinion from the S. C. Attorney General's Office issued on December 5, 2003, and SCDHEC policy, DHEC-OCRM will require the following information in order to process ALL PERMIT APPLICATIONS FOR STRUCTURES PROPOSED ON OR TO ANY UNDEVELOPED ISLAND WITHIN THE CRITICAL AREAS OF THE STATE:

(undeveloped islands are considered as islands with no habitable structure or structures)

1. A copy of the document upon which you rely for the original grant of the marsh island from the State or predecessor sovereign (e.g. a King's grant or Lord Proprietors' grant)
2. An attorney's title opinion
3. The accompanying abstract of title.

Upon receipt of an application for any activity on or to an island, DHEC-OCRM will place the application on public notice. Upon receipt of the three items, DHEC-OCRM will forward the application and accompanying proof of ownership information to the South Carolina Attorney General's Office, as provided in the Attorney General's opinion. The Attorney General's Office will determine if adequate proof of ownership has been provided under the standard stated in the opinion and will notify DHEC-OCRM of that determination. DHEC-OCRM will proceed with permit processing after receipt of notification from the Attorney General's Office that adequate proof of ownership has been provided. If the applicant does not submit the information listed above to DHEC-OCRM, then the administratively incomplete application will be cancelled and returned to the applicant.